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Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN C. BUNDY,

Defendant.

2:16-CR-00046-GMN-PAL

**GOVERNMENT'S RESPONSE TO
RYAN BUNDY'S OBJECTIONS TO
MAGISTRATE JUDGE'S ORDER
No. 1599 (ECF No. 1688)**

CERTIFICATION: The undersigned certify that this Response is timely filed.

The United States, by and through the undersigned, respectfully files this response in opposition to defendant Ryan Bundy's Objections to the Magistrate Judge's February 21, 2017 Order Denying Disclosure of Confidential Informants (ECF No. 1688), which Bundy filed on March 7, 2017 ("Bundy's Obj.").

Bundy's objections fail. First, as the Magistrate Judge correctly noted, Bundy's pretrial motion to disclose confidential witnesses, which he filed on

1 January 5, 2017, was *itself untimely* and violative of the deadlines set forth in the
2 Case Management Order. ECF No. 1599 at 3-4 (stating: 1) that Bundy’s pro se
3 status—which he himself chose—“does not excuse a criminal defendant from
4 complying with the procedural or substantive rules of the court;” 2) that Bundy’s
5 “belated decision to change trial tactics does not constitute good cause to excuse the
6 waiver” of the court-ordered deadline; and 3) that Bundy’s motion was filed “over
7 two and a half months after the extended deadline [*i.e.*, October 17, 2016] expired”).
8 This Court should, in its discretion, decline to entertain not just Bundy’s untimely
9 motion, but also the objections based *on* that untimely motion.

10 Finally, as the Magistrate Judge correctly ruled, Bundy’s motion was
11 meritless. By simply demanding the identities of the confidential witnesses, Bundy
12 “failed to make a minimal threshold showing for disclosure of confidential
13 informants’ identities or that an in camera review of such material is relevant and
14 helpful to his defense.” ECF No. 1599 at 5 (further noting that Bundy has failed to
15 “demonstrate a *specific* need for informants’ identities and addresses, and other
16 related discovery”) (emphasis in original). Because Bundy’s objections merely
17 recycle the same rejected arguments, and because the Magistrate Judge’s reasoning
18 is demonstrably correct, this Court should overrule Bundy’s objections and enter an
19 order denying his Motion.
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DATED this 21st day of March, 2017.

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CERTIFICATE OF SERVICE

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing **GOVERNMENT'S RESPONSE TO RYAN BUNDY'S OBJECTIONS TO MAGISTRATE JUDGE'S ORDER No. 1599 (ECF No. 1688)** was served upon counsel of record, via Electronic Case Filing (ECF).

DATED this 21st day of March, 2017.

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STEVEN W. MYHRE
Acting United States Attorney